30

EXDIS

SECRET

P 14
5 94

POL 14 VIET S

INCOMING TELEGRAM *Department of State* XR POL 5 VIETS

CONFIDENTIAL

Action 10
55
Info

PP RUEHC
DE RUMJIR 26455 1430900
ZNY CCCCC
P R 230800Z MAY 67
FM AMEMBASSY SAIGON
TO RUEHC/SECSTATE WASHDC PRIORITY 023141
INFO RUMIBK/AMEMBASSY BANGKOK
RUMJFS/AMEMBASSY VIENTIANE
RUHHHQA/CINCPAC
STATE GRNC
BT
C O N F I D E N T I A L SAIGON 26455

1967 MAY 23 AM 5 12

Saigon Ofc Tgs

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [signature] DATE 10/7/81
PORTIONS DENIED AS INDICATED

LIMDIS

CINCPAC FOR POLAD

1. EVENING MAY 22 CIVILIAN MEMBER OF THE DIRECTORATE [redacted] TOLD EMBOFF THAT ALL CIVILIAN MEMBERS OF THE DIRECTORATE PLUS GENERALS CHIEU AND TRI HAD MET THAT MORNING TO DISCUSS THE PRESIDENTIAL ELECTORAL LAW. [redacted] THAT TRI DID NOT TAKE AN ACTIVE PART IN THE DISCUSSIONS BECAUSE HE "HAD NO INSTRUCTIONS FROM KY." b-1 ed

PAGE 2 RUMJIR 26455 C O N F I D E N T I A L
2. ACCORDING [redacted] ALL MEMBERS PRESENT AGREED THAT THE DATES OF THE ELECTIONS SHOULD FOLLOW THE ORIGINAL SCHEDULE, I.E. PRESIDENTIAL AND SENATE ELECTIONS ON THE SAME DAY IN SEPTEMBER AND ELECTIONS FOR THE LOWER HOUSE ONE MONTH LATER. THEY ALSO AGREED THAT THE REQUIREMENT FOR "INTRODUCTION" OF CANDIDATES BY 30 CA DEPUTIES, PROVINCIAL, OR MUNICIPAL COUNCILORS IS UNDESIRABLE. THE DIRECTORATE MAY SUGGEST THAT THE ASSEMBLY MODIFY THE PROVISION SO THAT ELECTED VILLAGE OFFICIALS MAY ALSO SERVE TO "INTRODUCE" PRESIDENTIAL CANDIDATES.

3. ASKED ABOUT THE ASSEMBLY'S FAILURE TO PROVIDE FOR A RUN-OFF ELECTION, [redacted] THAT THIS MATTER WAS ALSO DISCUSSED BY THE DIRECTORATE MEMBERS PRESENT, AND THERE WAS MUCH SENTIMENT IN FAVOR OF A RUN-OFF. [redacted] BELIEVES THAT THE DIRECTORATE MAY ASK THE ASSEMBLY TO WRITE SUCH A PROVISION INTO THE LAW, BUT HE WAS NOT VERY CONFIDENT OF THIS.

4. THE FULL DIRECTORATE WILL MEET ON MAY 24 TO TAKE ACTION ON THE ELECTORAL LAW. [redacted] ANTICIPATES THAT IF AN AGREEMENT IS REACHED A LETTER WILL BE SENT TO THE ASSEMBLY REQUESTING THOSE CHANGES WHICH THE DIRECTORATE CONSIDERS NECESSARY. WHEN EMBOFF

CONFIDENTIAL

DECLASSIFIED

ASKED WHAT THE DIRECTORATE PLANS TO DO IF THE ASSEMBLY REFUSES TO MAKE THE REQUESTED CHANGES, [redacted] THIS IS NOT CLEAR. THERE IS SOME TALK OF LETTING PHAN KHAC SUU PROMULGATE THE LAW HIMSELF IN THAT EVENT, AND THEN "HE AND THE ASSEMBLY WILL HAVE TO TAKE RESPONSIBILITY FOR IT." [redacted] NOTED WITH SOME ASPERITY THAT IN SENDING THE LAW TO THE DIRECTORATE, THE ASSEMBLY USED THE TERM FOR A COMPLETED LAW (DAO LUAT) AND NOT FOR A PROPOSED LAW (DU LUAT).

5. COMMENT: A. IT IS NOT CLEAR FROM THE CONSTITUTION HOW THE LAW SHOULD BE HANDLED BY THE DIRECTORATE. A STRICT INTERPRETATION OF THE TRANSITIONAL CLAUSES OF THE CONSTITUTION WOULD GIVE THE DIRECTORATE NO POWER TO VETO OR AMEND THE LAW. HOWEVER, SOME DEPUTIES AND SOME MEMBERS OF THE GOVERNMENT HAVE INDICATED THAT THEY BELIEVE THE LAW SHOULD BE DEALT WITH AS AN ORDINARY PIECE OF LEGISLATION UNDER THE MAIN PROVISIONS OF THE CONSTITUTION. THIS WOULD GIVE THE DIRECTORATE A VETO WHICH COULD BE OVERCOME BY A MAJORITY VOTE. OTHERS THINK THAT THE LAW SHOULD BE HANDLED AS WAS THE ELECTORAL LAW FOR THE ASSEMBLY ITSELF. THIS WOULD PERMIT THE DIRECTORATE TO MAKE CHANGES IN THE LAW WHICH COULD ONLY BE REJECTED BY A TWO-THIRDS VOTE OF THE ASSEMBLY.

PAGE 4 RUMJIR 26455 C O N F I D E N T I A L
B. THE UNCERTAINTY ABOUT HOW THE LAW SHOULD BE HANDLED IS COMPOUNDED BY THE SPLIT WITHIN THE DIRECTORATE BETWEEN KY SUPPORTERS AND THOSE WHO ARE BACKING THIEU. THIEU'S MEN, FOR EXAMPLE, MAY OPT FOR A RUN-OFF WHILE KY'S SUPPORTERS WILL PROBABLY REJECT IT. THE GROUP THAT MET MAY 22 IS BELIEVED TO BE PREDOMINANTLY PRO-THIEU.

C. DIRECTORATE ATTEMPTS TO CHANGE THE LAW COULD RESULT IN A DETERIORATION OF RELATIONS BETWEEN THE ASSEMBLY [redacted] E GOVERNMENT. HOWEVER IT SEEMS MORE LIKELY THAT AGREEM[redacted] WILL BE ATTEMPTED BEHIND THE SCENES. IF THE DIRECT[redacted] KS WITH ONE VOICE, THE ASSEMBLY WILL PROBABLY COMPRO[redacted] NOT, THEY MAY REFUSE TO MAKE ANY CHANGES IN THE L[redacted]

D. SINCE ABOVE DRAFTED, SUBSTANCE OF [redacted] REMARKS BY [redacted]

BUNKER

NOTE: AL[redacted] COPY SENT TO S/S-O AT 5:50 A.M., 5/23/67
PASSED: [redacted] HOUSE, DOD, CIA, USIA, NSA AT 5:50 A.M., 5/23/67

DECLASSIFIED